

# **Exhibit 1**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-LRL

NORFOLK SOUTHERN RAILWAY  
COMPANY, *et al.*,

Defendants.

\_\_\_\_\_ /

**[PROPOSED] ORDER GRANTING  
MOTION TO REOPEN AND COMPEL DEPOSITIONS**

THIS MATTER having come before the Court on Plaintiff CSX Transportation, Inc. Motion to Reopen and Compel Depositions (“Motion”), and the Court having reviewed same and finding good cause for the relief requested, it is hereby

**ORDERED** that the Motion is **GRANTED**. The Court **ORDERS**: (1) that the depositions of Michael McClellan and Jeffrey Heller be reopened; (2) that CSXT be permitted to take the depositions of Rob Martinez and Cary Booth; and (3) that CSXT is awarded its costs and attorneys’ fees incurred for filing and prosecuting its Motion.

**IT IS SO ORDERED.**

Date: \_\_\_\_\_

\_\_\_\_\_  
Hon. Lawrence R. Leonard  
United States Magistrate Judge